

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LAMAR BURTON #495156,

Plaintiff,

File no: 1:20-cv-858

v.

HON. ROBERT J. JONKER

COREY GRAHN,

Defendant.

**ORDER APPROVING MAGISTRATE'S
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action on October 4, 2021 (ECF No. 62). The Report and Recommendation was duly served on the parties. Rather than file objections to the Report and Recommendation, the Plaintiff filed a Notice of Interlocutory Appeal (ECF No. 63). The Court notes that no objections were filed with the Sixth Circuit Court of Appeals.

ACCORDINGLY, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge (ECF No. 62) is approved and adopted as the opinion of the Court.

IT IS FURTHER ORDERED that Defendant's Motion for Summary Judgment (ECF No. 45) is **GRANTED**.

IT IS FURTHER ORDERED that this matter is **TERMINATED**.

IT IS FURTHER ORDERED that Plaintiff is denied a certificate of appealability.

The Court discerns no good-faith basis for appeal of this matter. *See McGore v. Wrigglesworth*, 114 F.3d 601, 611 (6th Cir. 1997); 28 U.S.C. § 1915(a)(3).

Date: October 25, 2021

/s/ Robert J. Jonker
ROBERT J. JONKER
CHIEF UNITED STATES DISTRICT JUDGE